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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/924,306	08/06/2001	Jason Hillyard	WIDC-024/00US	3123

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Kevin J. Zimmer
Cooley Godward LLP
Five Palo Alto Square
3000 El Camino Real
Palo Alto, CA 94306-2155

EXAMINER	
ELAHEE, MD S	

ART UNIT	PAPER NUMBER
2645	9

DATE MAILED: 08/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/924,306	HILLYARD, JASON	
	Examiner	Art Unit	
	Md S Elahee	2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-23 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-23 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claims 9 and 15 are objected to because of the following informalities: The use of "client/server" makes the claim indefinite since the slash mark means either "and" or "or". Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-9, 13-17 and 20-23 rejected under 35 U.S.C. 102(e) as being anticipated by Tada (U.S. Pub. No. 2001/0019956).

Regarding claim 1, Tada teaches performing an inquiry (page 2, paragraph 0036, page 3, paragraph 0037, page 4, paragraph 0068, page 5, paragraph 0077).

Tada further teaches performing an inquiry scan for a random time interval (i.e., random duration) following the inquiry (page 2, paragraph 0036, page 6, paragraphs 0085, 0088, 0091, 0093). (Note: The user manually stops transmission and performs Inquiry scan at his own desire by selecting suitable time interval, therefore, the time interval during which Inquiry scan can be performed is varied or set randomly by the user)

Tada further teaches establishing the connection after receiving a device address in response to the inquiry (page 4, paragraph 0068).

Regarding claims 2, 8, 14 and 22, Tada teaches the inquiry has a fixed duration (page 5, paragraph 0077, page 6, paragraph 0091).

Regarding claim 3, Tada teaches paging the device address (page 4, paragraph 0068).

Regarding claim 4, Tada teaches establishing the connection after receiving an inquiring device inquiry during the inquiry scan (page 4, paragraph 0068).

Regarding claim 5, Tada teaches performing a page scan while performing the inquiry scan (page 4, paragraph 0068).

Regarding claim 6, Tada teaches responding with a second device address upon receiving the inquiring device inquiry, and if the second device address is paged during the page scan, establishing the connection (page 4, paragraph 0068).

Regarding claim 7, Tada teaches performing an inquiries at random time interval (i.e., random duration) (page 2, paragraph 0036, page 3, paragraphs 0037, 0038, page 4, paragraph 0068, page 5, paragraphs 0077, 0082). (Note: The user manually performs Inquiries at his own desire based on the amount of traffic by selecting suitable time interval, therefore, the time interval during which Inquiries can be performed is varied or set randomly by the user)

Tada teaches performing an inquiry scan and a page scan when not performing the inquiries (page 3, paragraph 0037, page 4, paragraph 0068, page 5, paragraph 0082). (Note: Since, terminal search wait mode is executed after stopping the terminal search

mode, it is clear that an inquiry scan and a page scan are performed in absence of performing the inquiries)

Tada further teaches upon receiving an inquiring device inquiry during the inquiry scan, responding with a remote terminal (i.e., second device) address, and if the remote terminal address is paged during the page scan, establishing the connection (page 4, paragraph 0068).

Regarding claims 9 and 15, Tada teaches the wireless devices are not assigned client/server roles prior to establishing the connection (page 4, paragraph 0068).

Regarding claim 13 is rejected for the same reasons as discussed above with respect to claims 1 and 7. Tada teaches at the second wireless device, performing second inquiries at random time intervals (i.e., random intervals) and performing second inquiry scans when not performing the second inquiries (page 4, paragraph 0068, page 6, paragraph 0093).

Regarding claim 16 is rejected for the same reasons as discussed above with respect to claims 1 and 13.

Regarding claim 17, Tada teaches sending inherently a first device address to the second wireless device, wherein the first device address corresponds to the first wireless device (page 4, paragraph 0068).

Tada further teaches paging the first wireless device using the first device address, thereby establishing the connection (page 4, paragraph 0068).

Regarding claim 20 is rejected for the same reasons as discussed above with respect to claim 7.

Regarding claim 21, Tada teaches means for providing a second device address upon receiving a discovering device inquiry during one of the inquiry scans, wherein the second device address identifies the wireless device (page 4, paragraph 0068).

Tada further teaches means for establishing the wireless link upon receiving a page to the second device address (page 4, paragraph 0068).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 10-12, 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tada (U.S. Pub. No. 2001/0019956) and in view of Alford, JR. et al. (U.S. Pub. No. 2002/0147027) and further in view of Jonsson et al. (U.S. Pub. No. 2003/0036350).

Regarding claim 10, Tada fails to teach storing configuration information upon the connection being established (page 6, paragraph 0069). Alford teaches storing configuration information upon the connection being established (page 3, paragraph 0033). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Tada to store configuration information upon the connection being established as taught by Alford. The motivation for the modification is to have doing so in order to carry the information to manage number of computer systems.

However, Tada in view of Alford fails to teach re-establishing the connection using the configuration information upon the connection being lost. Jonsson teaches re-establishing the connection using the configuration information upon the connection being lost (page 5, paragraph 0043). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Tada in view of Alford to allow re-establishing the connection using said configuration information upon the connection being lost as taught by Jonsson. The motivation for the modification is to have doing so in order to get connected with the device going beyond the range.

Regarding claim 11, Tada in view of Alford fails to teach re-establishing is attempted a number of attempts until the connection is re-established, and if the connection is not reestablished, returning to operation. Jonsson teaches re-establishing is attempted a number of attempts until the connection is re-established, and if the connection is not reestablished, returning to operation (page 5, paragraph 0043). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Tada in view of Alford to allow re-establishing is attempted a number of attempts until the connection is re-established, and if the connection is not reestablished, returning to operation as taught by Jonsson. The motivation for the modification is to have doing so in order to try to reconnected with the device going beyond the range.

Regarding claim 12, Tada teaches configuration information comprises role and device address information (page 4, paragraph 0068).

Regarding claim 18 is rejected for the same reasons as discussed above with respect to claim 10. Tada teaches assigning a server role to the first wireless device and a client role to the second wireless device (page 6, paragraphs 0086, 0088, 0090).

Regarding claim 19 is rejected for the same reasons as discussed above with respect to claim 11.

6. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tada (U.S. Pub. No. 2001/0019956) and in view of Alford, JR. et al. (U.S. Pub. No. 2002/0147027).

Regarding claim 23 is rejected for the same reasons as discussed above with respect to claim 10. Furthermore, Tada teaches a storage location (i.e., memory) (page 4, paragraph 0060).

Conclusion

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Cromer et al. (U.S. Patent No. 6,493,104) teach Data processing system and method for permitting a computer to automatically detect a presence of and establish a communications link with a printer.

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Md S Elahee whose telephone number is (703)305-4822. The examiner can normally be reached on Mon to Fri from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703)305-4895. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M.E.

MD SHAFIUL ALAM ELAHEE
August 18, 2004

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600